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09/814,014	03/21/2001	A. Demetrius Brown	29983/36943	2987

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SHERR, CRISTINA O

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/814,014	BROWN ET AL.
Office Action Summary	Examiner	Art Unit	
	Cristina Owen Sherr	3621	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 January 20065*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-68* is/are pending in the application.

4a) Of the above claim(s) *11-13,16,27-29,32,37-39,43,44,53,54 and 57-68* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10,14,15,17-26,30,31,33-36,45-52,55 and 56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is in response to applicant's amendment filed January 10,

2006. Claim 49 has been amended. Claims 11-13, 16, 27-29, 32, 37-39, 43-44, 53-54,

and 57-68 have been canceled. Claims 1-10, 14-15, 17-26, 30-31, 33-36, 45-52, and

55-56 are currently pending in this case.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-10, 14-15, 17-26, 30-31, 33-36,

45-52, and 55-56 have been considered but are moot in view of the new ground(s) of

rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-10, 14-15, 17-26, 30-31, 33-36, 45-52, and 55-56 are rejected under 35

U.S.C. 103(a) as being unpatentable over Ginter et al (US 5,892,900) in view of Popolo

(US 5,715,402).

5.   Regarding claim 1 –

Ginter discloses a method of exchanging values (or any items of commerce)

comprising the steps of receiving a first user name and a first password from a seller;

verifying the first user name and the first password against a database of authorized users; receiving identification information from the seller, the identification information including a price; receiving a second user name and a second password from a buyer; verifying the second user name and the second password against the database of authorized users; determining if a preexisting credit relationship exists between the metal buyer and the metal seller and providing a payment guarantee; transmitting a hyperlink to an exchange web page to the buyer, the exchange web page including the identification information if a preexisting credit relationship exists between the buyer and the seller; and transmitting a purchase selection to the buyer for a contract (e.g. col 1 ln 45 – col 2 ln 12).

6.   Ginter does not specify a FAS133-compliant contract, although is does discuss generating an appropriate contract for buying and selling (e.g. col 13 ln 5-15). The specific type of contract is nonfunctional data, and it would be obvious to one of ordinary skill in the art to adapt Ginter to any appropriate contract depending on the type of item of item being sold.

7.   Ginter does not specifically deal with the buying and selling of metals. Popolo, however does (see, e.g. abstract, col 1 ln 45 – col 2 ln13). It would be obvious to one of ordinary skill in the art to combine the teachings of Ginter and Popolo in order to obtain a method of exchanging metals which take into account the specific characteristics of various metals as well as protocols for secure transactions.

8.   Regarding claim 2 –

Ginter discloses a method of making tansactions as defined in claim 1, wherein the step

of transmitting an exchange web page to the buyer comprises the step of transmitting a

positive icon if a preexisting credit relationship exists between the buyer and the seller

(e.g. col 5 ln 10-25). As above, Ginter does not specifically deal with the buying and

selling of metals. Popolo, however does (see, e.g. abstract, col 1 ln 45 – col 2 ln13). It

would be obvious to one of ordinary skill in the art to combine the teachings of Ginter

and Popolo in order to obtain a method of exchanging metals which take into account

the specific characteristics of various metals as well as protocols for secure

transactions.

9.   Regarding claim 3 –

Ginter discloses a method of exchanging items of value as defined in claim 1, wherein

the step of transmitting an exchange web page to the buyer comprises the step of

transmitting a negative icon if a preexisting credit relationship does not exist between

the buyer and the seller (e.g. col 5 ln 10-25). As above, Ginter does not specifically

deal with the buying and selling of metals. Popolo, however does (see, e.g. abstract,

col 1 ln 45 – col 2 ln13). It would be obvious to one of ordinary skill in the art to

combine the teachings of Ginter and Popolo in order to obtain a method of exchanging

metals which take into account the specific characteristics of various metals as well as

protocols for secure transactions.

10.   Regarding claim 4 –

Ginter discloses a method of exchanging items of value as defined in claim 1,

determining if a bilateral credit relationship exists between the buyer and the seller (e.g.

col 5 ln 30-38). As above, Ginter does not specifically deal with the buying and selling

of metals. Popolo, however does (see, e.g. abstract, col 1 ln 45 – col 2 ln13). It would

be obvious to one of ordinary skill in the art to combine the teachings of Ginter and

Popolo in order to obtain a method of exchanging metals which take into account the

specific characteristics of various metals as well as protocols for secure transactions.

11.   Regarding claim 5 –

Ginter discloses a method of exchanging items of value as defined in claim 1, wherein

the step of transmitting an exchange web page to the buyer comprises the step of

making the seller anonymous to the buyer (e.g. col 5 ln 1-5).

12.   Regarding claims 6 –

Ginter discloses a method of exchanging metals as defined in claim 1, wherein the

providing of the Payment guarantee comprises the step of receiving credit relationship

information from the seller, the credit relationship information identifying a buyer and a

credit threshold (e.g. col 6 ln 20-40).

13.   Regarding claim 7 –

Ginter discloses a method of exchanging as defined in claim 6, further comprising the

steps of: maintaining a current credit balance between the buyer and, and determining if

processing a purchase associated with the identification information by the buyer would

exceed the credit threshold of the preexisting credit relationship between the buyer and

the seller (e.g. col 138 ln 8-20).

14.   Regarding claim 8 –

Ginter discloses a method of exchanging as defined in claim 7, wherein the step of transmitting an exchange web page to the buyer comprises the step of making the seller anonymous to the buyer (e.g. col 57 ln 50-55).

15.   Regarding claim 9 –

Popolo discloses a method of exchanging metals as defined in claim 1, further comprising the steps of receiving a metal chemistry composition from the metal seller and transmitting the metal chemistry composition to the metal buyer (e.g. col 5 ln 25-45). As above, it would be obvious to one of ordinary skill in the art to combine the teachings of Ginter and Popolo in order to obtain a method of exchanging metals which take into account the specific characteristics of various metals as well as protocols for secure transactions.

16.   Regarding claim 10 –

Ginter discloses a method of exchanging as defined in claim 1, further comprising the step of transmitting transaction information to a plurality of registered users to provide price transparency, the transaction information including a plurality of records, each record including a type, a quantity, a price, and an exchange date. (e.g. col 4 ln 10-30). As above, it would be obvious to one of ordinary skill in the art to combine the teachings of Ginter and Popolo in order to obtain a method of exchanging metals which take into account the specific characteristics of various metals as well as protocols for secure transactions.

17.   Regarding claim 14 –

GInter discloses a method of exchanging further comprising the step of performing a

credit or other valuation (e.g. col 2 ln 1-10). Ginter does not specify a portfolio

evaluation, although is does discuss generating an appropriate credit or other record for

evaluating a buyer (e.g. col 13 ln 5-15). The specific type of evaluation is nonfunctional

data, and it would be obvious to one of ordinary skill in the art to adapt Ginter to any

appropriate contract depending on the type of item of item being sold. Ginter further

does not specifically deal with the buying and selling of metals. Popolo, however does

(see, e.g. abstract, col 1 ln 45 – col 2 ln13). It would be obvious to one of ordinary skill

in the art to combine the teachings of Ginter and Popolo in order to obtain a method of

exchanging metals which take into account the specific characteristics of various metals

as well as protocols for secure transactions.

18.   Regarding claim 15 –

Popolo discloses a method of exchanging metals further comprising the step of

performing a mark to market determination (e.g. col 3 ln 5-15).

19.   Regarding claim 17 –

Ginter discloses a method of exchanging metals further comprising the step of providing

a financing option (e.g. col 47 ln 15-20).

20.   Regarding claim 18 –

Popolo discloses a method of exchanging further comprising the step of providing a

weighted average price index based on the plurality of exchanges (e.g. col 4 ln 35-45).

21.   Regarding claim 19 –

Ginter discloses a method of exchanging items of value comprising the steps of receiving a first user name and a first password from a seller; verifying the first user name and the first password against a database of authorized users; receiving item identification information from the first user; receiving a second user name and a second password from a buyer; determining if a preexisting credit relationship exists between the buyer and the seller and providing a payment guarantee; verifying the second user name and the second password against the database of authorized users; and transmitting a first hyperlink to an exchange web page to the buyer, the web page being a hedging web page or a logistics web page, and the exchange web page including the item information such as price and transmitting a purchase selection to the buyer for a contract (e.g. col 6 ln 20-45).

23.   Ginter does not specify a FAS133-compliant contract, although is does discuss generating an appropriate contract for buying and selling (e.g. col 13 ln 5-15). The specific type of contract is nonfunctional data, and it would be obvious to one of ordinary skill in the art to adapt Ginter to any appropriate contract depending on the type of item of item being sold.

24.   Ginter does not specifically deal with the buying and selling of metals. Popolo, however does (see, e.g. abstract, col 1 ln 45 – col 2 ln13). It would be obvious to one of ordinary skill in the art to combine the teachings of Ginter and Popolo in order to obtain a method of exchanging metals which take into account the specific characteristics of various metals as well as protocols for secure transactions.

25.   Regarding claim 20 –

Popolo discloses a method of exchanging metals as defined in claim 19, further

comprising the steps of receiving a request for the composition web page from the

metal buyer and transmitting the metal chemistry composition to the metal buyer (e.g.

col 3 ln 20-30).

26.   Regarding claim 21 –

Popolo discloses a method of exchanging metals as defined in claim 20, wherein the

step of transmitting the metal chemistry composition to the metal buyer comprises the

step of transmitting a percentage of one of silicon, copper, magnesium, nickel, tin, lead,

iron, manganese, chromium, zinc, and titanium (e.g. col 5 ln 10-40).

27.   Regarding claim 22 –

Popolo discloses a method of exchanging metals as defined in claim 20, wherein the

step of transmitting the metal chemistry composition to the metal buyer comprises the

step of transmitting a percentage of two of silicon, copper, magnesium, nickel, tin, lead,

iron, manganese, chromium, zinc, and titanium (e.g. col 5 ln 40-50).

28.   Regarding claim 23 –

Popolo discloses a method of exchanging metals as defined in claim 20, wherein the

step of transmitting the metal chemistry composition to the metal buyer comprises the

step of transmitting a range for each of a plurality of elements from the periodic table of

elements (e.g. col 5 ln 20-35).

29.   Regarding claim 24 –

Popolo discloses a method of exchanging metals as defined in claim 19, further

comprising the steps of receiving a chemistry evaluation matrix from the metal buyer,

the chemistry evaluation matrix including a desired discount associated with a particular

metal percentage, and transmitting the chemistry evaluation matrix to the metal seller

(e.g. col 5 ln 20-35).

30.   Regarding claim 25 –

Ginter discloses a method of exchanging metals as defined in claim 19, wherein the

step of transmitting an exchange web page to the buyer comprises the step of making

the seller anonymous to the buyer (e.g. col 57 ln 50-55).

31.   Regarding claim 26 –

Popolo discloses a method of exchanging as defined in claim 19, further comprising the

step of transmitting transaction information to a plurality of registered users to provide

price transparency, the exchange transaction information including a plurality of records,

each record including a lot type, a lot quantity, a lot price, and an exchange date. (e.g.

col 4 ln 10-30). As above, it would be obvious to one of ordinary skill in the art to

combine the teachings of Ginter and Popolo in order to obtain a method of exchanging

metals which take into account the specific characteristics of various metals as well as

protocols for secure transactions.

32.   Regarding claim 30 –

Popolo discloses a method of exchanging metals as defined in claim 19, further

comprising the step of performing a valuation (e.g. col 2 ln 1-10). Ginter does not

specify a portfolio evaluation, although is does discuss generating an appropriate credit

or other record for evaluating a buyer (e.g. col 13 ln 5-15). The specific type of

evaluation is nonfunctional data, and it would be obvious to one of ordinary skill in the

art to adapt Ginter to any appropriate contract depending on the type of item of item

being sold. Ginter further does not specifically deal with the buying and selling of

metals. Popolo, however does (see, e.g. abstract, col 1 ln 45 – col 2 ln13). It would be

obvious to one of ordinary skill in the art to combine the teachings of Ginter and Popolo

in order to obtain a method of exchanging metals which take into account the specific

characteristics of various metals as well as protocols for secure transactions.

33.   Regarding claim 31 –

Popolo discloses a method of exchanging metals as defined in claim 19, further

comprising the step of performing a mark to market determination (e.g. col 5 ln 50-65).

34.   Regarding claim 33 –

Ginter discloses a method of exchanging as defined in claim 19, further comprising the

step of providing a financing option (e.g. col 47 ln 15-20).

(e.g. col 5 ln 50-65).

35.   Regarding claim 34 –

Gintero discloses a method of exchanging contracts for items of value, the method

comprising the steps of: processing a plurality of exchanges of a plurality of items

between a plurality of buyers and a plurality of sellers, comprising receiving item

information from a particular seller in the plurality of sellers and transmitting the

information to a particular buyer in the plurality of buyers and facilitating a purchase

online including maintaining anonymity of both a buyer associated with the purchase

and a seller associated with the purchase, and transmitting a hedging web page or a

logistics web page to the buyer: transmitting an icon indicative of a preexisting bilateral

credit arrangement between the buyer and the seller; and transmitting transaction

information to a plurality of registered users to provide price transparency, the metal

exchange transaction information including a plurality of metal lot records, each metal

lot record including a lot type, a lot quantity, a lot price, and an exchange (e.g. col 6 ln

20-45).

36.   As above, Ginter does not specify a FAS133-compliant contract, although is

does discuss generating an appropriate contract for buying and selling (e.g. col 13 ln 5-

15). The specific type of contract is nonfunctional data, and it would be obvious to one

of ordinary skill in the art to adapt Ginter to any appropriate contract depending on the

type of item of item being sold.

37.   Ginter does not specifically deal with the buying and selling of metals. Popolo,

however does (see, e.g. abstract, col 1 ln 45 – col 2 ln13). It would be obvious to one of

ordinary skill in the art to combine the teachings of Ginter and Popolo in order to obtain

a method of exchanging metals which take into account the specific characteristics of

various metals as well as protocols for secure transactions.

38.   Regarding claim 35 –

Popolo discloses a method of exchanging metals contracts as defined in claim 34,

further comprising the step of providing real time price adjustments online, the real time

price adjustments being based on a chemical composition associated with a particular

metal from the plurality metals (e.g. col 3 ln 10-20).

39.   Regarding claim 36 –

Ginter discloses a method of exchanging contracts as defined in claim 34, wherein the

step of processing a plurality of exchanges of a plurality of items between a plurality of

buyers and a plurality of sellers comprises the step of processing an exchange of an

item (e.g. col 3 ln 30-45). As above, Ginter does not specify a FAS133-compliant

contract, although is does discuss generating an appropriate contract for buying and

selling (e.g. col 13 ln 5-15). The specific type of contract is nonfunctional data, and it

would be obvious to one of ordinary skill in the art to adapt Ginter to any appropriate

contract depending on the type of item of item being sold. Further, Ginter does not

specifically deal with the buying and selling of metals. Popolo, however does (see, e.g.

abstract, col 1 ln 45 – col 2 ln13). It would be obvious to one of ordinary skill in the art

to combine the teachings of Ginter and Popolo in order to obtain a method of

exchanging metals which take into account the specific characteristics of various metals

as well as protocols for secure transactions.

40.   Regarding claim 45 –

Ginter discloses a method of exchanging items as defined in claim 34, further

comprising the step of performing a valuation (e.g. col 4 ln 45-60). Ginter does not

specify a portfolio evaluation, although is does discuss generating an appropriate credit

or other record for evaluating a buyer (e.g. col 13 ln 5-15). The specific type of

evaluation is nonfunctional data, and it would be obvious to one of ordinary skill in the

art to adapt Ginter to any appropriate contract depending on the type of item of item

being sold. Ginter further does not specifically deal with the buying and selling of

metals. Popolo, however does (see, e.g. abstract, col 1 ln 45 – col 2 ln13). It would be

obvious to one of ordinary skill in the art to combine the teachings of Ginter and Popolo

in order to obtain a method of exchanging metals which take into account the specific

characteristics of various metals as well as protocols for secure transactions.

41.   Regarding claim 46 –

Popolo discloses a method of exchanging FAS133 compliant derivative contracts as

defined in claim 34, further comprising the step of performing a mark to market

determination (e.g. col 4 ln 45-60).

42.   Regarding claim 47 –

Ginter discloses a method of exchanging as defined in claim 34, further comprising the

step of providing a payment guarantee (e.g. col 4 ln 45-60).

42.   Regarding claim 48 –

Ginter discloses a method of exchanging as defined in claim 34, further comprising the

step of providing a financing option (e.g. col 4 ln 45-60).

43.   Regarding claim 49 –

Ginter, in combination with Popolo, as above, discloses a metals exchange server

comprising: a network transmitter; a network receiver; a memory device storing a

software program and registered user information; and a processor operatively coupled

to the network transmitter, network receiver, and memory device, the processor being

structured to execute the software program, the software program being structured to

cause the processor to: (i) receive login information from a metal seller and a metal

buyer via the network receiver; (ii) verify the login information matches the registered

user information stored in the memory device; (iii)receive metal identification information

from the metal seller via the network receiver, the metal identification information

including a metal type, a metal weight, and a price; (iv) store the metal identification

information in the memory device; (v) determine if a preexisting credit relationship exists

between the metal buyer and the metal seller using the registered user information

stored in the memory device; and (vi)transmit a metals exchange web page to the metal

buyer via the network transmitter, the metals exchange web page including the metal

identification information and a positive icon if a preexisting credit relationship exists

between the metal buyer and the metal seller, the metals exchange web page including

the metal identification information and a negative icon if a preexisting credit relationship

does not exist between the metal buyer and the metal seller; (vii) to cause the processor

to transmit metal exchange transaction information to a plurality of registered users via

the network transmitter to provide price transparency, the metal exchange transaction

information including a plurality of metal lot records, each metal lot record including a lot

type a lot quantity, a lot price, and an exchange date; and (viii) cause the processor to

transmit a hyperlink to web page via the network transmitter, the web page offering to

sell at least one of a metals hedging contract, a logistics contract, and a FAS133

compliant derivative contract (e.g. col 6 ln 20-45).

45.   Ginter does not specify a FAS133-compliant contract, although is does discuss

generating an appropriate contract for buying and selling (e.g. col 13 ln 5-15). The

specific type of contract is nonfunctional data, and it would be obvious to one of ordinary

skill in the art to adapt Ginter to any appropriate contract depending on the type of item

of item being sold. Ginter does not specifically deal with the buying and selling of

metals. Popolo, however does (see, e.g. abstract, col 1 ln 45 – col 2 ln13). It would be obvious to one of ordinary skill in the art to combine the teachings of Ginter and Popolo in order to obtain a method of exchanging metals which take into account the specific characteristics of various metals as well as protocols for secure transactions.

46.   Regarding claim 50 –

Ginter discloses a server as defined in claim 49, wherein the software program is further structured to cause the processor to receive a credit limit associated with the metal buyer from the metal seller via the network receiver (e.g. col 6 ln 20-45).

47.   Regarding claim 51 –

Ginter discloses a metals exchange server as defined in claim 50, wherein the software program is further structured to cause the processor to maintain a current credit balance between the buyer and seller and determine if processing a purchase associated with theitem identification information by the buyer would exceed the credit limit (e.g. col 6 ln 20-45).

48.   Regarding claim 52 –

Popolo discloses a metals exchange server as defined in claim 49, wherein the software program is further structured to cause the processor to receive a metal chemistry composition from the metal seller via the network receiver and transmit the metal chemistry composition to the metal buyer via the network transmitter (e.g. col 6 ln 30-40).

49.   Regarding claim 55 –

Ginter (at e.g. col 2 ln 1-10) and Popolo (at e.g. col 4 ln 45-60) in combination disclose

a server wherein the software program is further structured to cause the processor to

perform at least one of a portfolio valuation and a mark to market determination (e.g. col

3 ln 5-15). Ginter does not specify a portfolio evaluation, although is does discuss

generating an appropriate credit or other record for evaluating a buyer (e.g. col 13 ln 5-

15).

50.   Regarding claim 56 –

Ginter discloses, a server as defined in claim 49, wherein the software program is

further structured to cause the processor to transmit at least one of a payment

guarantee to the seller and a financing option to the buyer via the network transmitter

(e.g. col 3 ln 60 – col 4 ln 5).

51.   Examiner's note: Examiner has cited particular columns and line numbers in

the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are

applied to the specific limitations within the individual claim, other passages and figures

may be applied as well. It is respectfully requested from the applicant, in preparing the

responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention as well as the context of the passage as taught by the prior art

or disclosed by the examiner.

Conclusion

52.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

53.   Odom et al, (US 6,058,379) discloses a real-time network exchange with seller

specified exchange parameters and interactive seller participation.

54.   Annunziata (US 2001/0039530) discloses a trading simulation.

55.   Annunziata (US 2001/0034688) discloses a system for trading commodities and

the like.

55.   Heilman, Jr., (US 2001/0034689) discloses a method and system of negotiating a

transaction over a network.

56.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cristina Owen Sherr whose telephone number is 571-

272-6711. The examiner can normally be reached on 8:30-5:00 Monday through

Friday.

57.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Trammell can be reached on 571-272-6712. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

58.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

COS
03/25/06

Silvia Pune 8
PRIMARY EXAMINER